

NINTH DAY.

Senate Chamber,
Austin, Texas,
Friday, January 18, 1920.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Martin.	Williamson.
McFarlane.	Wirtz.
Miller.	Witt.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

DeBerry. Love.

Prayer by the Rev. W. F. Bryan.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Holbrook:

S. B. No. 236, A bill to be entitled "An Act to permit the State of Texas or any Texas corporation created as an eleemosynary institution without profit, to own or acquire, and to permit counties to make grants and donations thereto, of any properties heretofore acquired by any such county for seawall purposes; repealing all laws and parts of laws in conflict with the provisions of this Act, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Holbrook:

S. B. No. 237, A bill to be entitled "An Act to amend Article 4613, Ar-

ticle 4614, Article 4618, Article 4619, Article 4620, Article 4118, and Article 5535, of the Revised Civil Statutes of 1925, declaring and defining the legal rights of married women; defining the separate property of married persons; regulating the management, control, disposition, and liability of such separate property; defining the common property of husband and wife; regulating the control, management, disposition, and liability of such common property; regulating the rights of parents as guardians for their minor children; making married women subject to all laws of limitation; regulating the conveyance of the homestead of the family; repealing Articles 4615, 4616, 4617, 4623, 4624, 4626, 6605, 6608, 1299, 1300, 6164, 1983, 1984, and 1985 of the Revised Civil Statutes of 1925, and all other laws and parts of law in conflict herewith; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Pollard:

S. B. No. 238, A bill to be entitled "An Act making certain emergency appropriations out of the general revenue of the State of Texas for several institutions and departments of State Government as named herein for the balance of the fiscal year ending August 31, 1929; and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Greer:

S. B. No. 239, A bill to be entitled "An Act appropriating two million eight hundred thousand dollars per year or so much thereof as may be necessary for the next two fiscal years for the purpose of promoting rural school education and equalizing the school opportunities afforded by the State to all children of scholastic age living in small and financially weak districts; authorizing the State Board of Education and State Superintendent of Public Instruction to aid such schools in accordance with conditions herein specified; providing for the maintenance by all rural schools which meet the requirements of this Act a term not exceeding seven months out of the State school funds; providing limited equipment for rural schools that will afford instruction and demonstration

on home and farm vocations; providing assistance in the formation and maintenance of rural high school districts according to a county-wide plan; providing for the use of an amount not to exceed three hundred thousand dollars for the payment each year of the biennium of high school tuition of rural school pupils according to the provisions of Chapter 181 General Laws of the State of Texas, Fortieth Legislature, Regular Session; providing for the administration of the funds appropriated herein by the State Board of Education and the State Superintendent of Public Instruction; providing for the manner of payment and disbursement of all moneys granted under the provisions of this Act; repealing all laws and parts of laws in conflict herewith and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Parr:

S. B. No. 240, A bill to be entitled "An Act to create Cameron County Drainage District Number One in Cameron County, Texas, defining its boundaries, validating and approving all orders made by the commissioners' court of Cameron County in respect to the original organization and creation of said district as a Drainage District under Article 3, Section 52 of the Constitution; converting said district, without change of name, to a conservation and reclamation district under Section 59 of Article 16 of the Constitution of the State of Texas; validating all assessments of taxes, the authorization, issuance and sale of bonds thereof, and providing for their payment and issuance and sale of the bonds of said district by the annual levy, assessment and collection of general ad valorem taxes on all taxable property in said district, approving and validating all orders of the commissioners' court of said County, and of the Board of Drainage Commissioners of said district, in respect to said district bonds and taxes, or certified copies thereof, and constituting all such orders and their record legal evidence; providing that the management and control of said Cameron County Drainage District Number One shall be by a board of three commissioners; that said drainage

district created herein as a conservation and reclamation district, shall be governed by the provisions of Section 59 of Article 16 of the Constitution and Chapter 7 of Title 128, Revised Civil Statutes of the State of Texas, 1925; providing that the title to all property and rights in property now owned by Cameron County Drainage District Number One including current and delinquent taxes, as it existed before the conversion herein, are vested in said district as herein converted, and that same shall be held and used under said provision of Section 59 of Article 16 of the State Constitution, and of Chapter 7 of Title 128, Revised Civil Statutes of the State of Texas, 1925, as same now exists, or may be hereafter amended; providing that the said Cameron County Drainage District Number One, as converted under Article 16, Section 59, shall assume and discharge all legal obligations, contracts and indebtedness lawfully created by Cameron County Drainage District Number One before its conversion; providing that proof of publication of Constitutional notice as required in the enactment of this Act has been duly made; enacting provisions incident and necessary to the subject and purpose of this Act; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Parr:

S. B. No. 241, A bill to be entitled "An Act to create Cameron County Drainage District Number Two (2) in Cameron County, Texas, defining its boundaries, validating and approving all orders made by the commissioners' court of Cameron County in respect to the original organization and creation of said district as a Drainage District under Article 3, Section 52 of the Constitution; converting said district, without change of name, to a conservation and reclamation district under Section 59 of Article 16 of the Constitution of the State of Texas; validating all assessments of taxes, the authorization, issuance and sale of bonds thereof, and providing for their payment and the issuance and sale of the bonds of said district, and providing for their payment by the annual levy, assessment and collection of general ad valorem taxes on all taxable property

in said district, approving and validating all orders of the commissioners' court of said County, and of the Board of Drainage Commissioners of said District, in respect to said district, bonds and taxes, or certified copies thereof, and constituting all such orders and their record legal evidence; providing that the management and control of said Cameron County Drainage District Number Two shall be by a board of three commissioners, and that said drainage district created herein as a conservation and reclamation district, shall be governed by the provisions of Section 59 of Article 16 of the Constitution and Chapter 7 of Title 128, Revised Civil Statutes of the State of Texas, 1925; providing that the title to all property and rights in property now owned by Cameron County Drainage District Number Two, including current and delinquent taxes, as it existed before this conversion herein, are vested in said district as herein converted, and that same shall be held and used under said provision of Section 59 of Article 16 of the State Constitution, and of Chapter 7 of Title 128, Revised Civil Statutes of the State of Texas, 1925, as same now exists; or may hereafter be amended; providing that the said Cameron County Drainage District No. 2, as converted under Article 16, Section 59, shall assume and discharge all legal obligations, contracts and indebtedness lawfully created by Cameron County Drainage District No. 2 before its conversion; providing that proof of publication of Constitutional Notice as required in the enactment of this Act has been duly made; enacting provisions incident and necessary to the subject and purpose of this Act; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Parr:

S. B. No. 242, A bill to be entitled "An Act to amend Article 4142, Chapter 4, Title 69 of the Revised Statutes of Texas 1925, so as to provide that the County Judge may in his discretion require a guardian of an estate to give bond with one or more corporations authorized to execute surety bonds in this State as Surety, in such amount as may be fixed by the Judge and providing for Guardian bonds

with two or more good and sufficient sureties to be approved by County Judge; and to amend Art. 4143 same chapter and title so as to provide that the County Judge may direct payment of a bond premium of a Guardian's bond out of the Ward's estate, and that such premiums shall be paid by the guardian unless otherwise directed by the County Judge; and amending Article 4148, same chapter and title so as to provide that County Judge shall have power and authority to decrease the amount of Guardian's bond whenever a smaller bond would be adequate to protect the Ward's estate and providing for requiring new bonds of guardians; and amending Art. 4233, Chapter 10, Title 69, of said Statutes so as to provide for removal of guardian of estate without notice when whereabouts of guardian are unknown and providing for removal when fail to return within 30 days, inventory and list of property, when they fail to give new bond within time required, and when they have removed from the State; and amending Article 4234, Chapter 10, Title 69, of said Statutes, so as to provide for removal of guardian after citation, for gross neglect or mismanagement or when he becomes of unsound mind, or an habitual drunkard, or sentenced to imprisonment for a term of years, or when, if he be a guardian of a person, he is cruel to, or neglects said ward, and providing for removal when he fails to return any account as required by law, or fails to obey any proper order of the court of Judges, or when there is good cause to believe he has misapplied, embezzled, or removed, or is about to misapply, embezzle or remove from state said estate or any part thereof; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Parr:

S. B. No. 243, A bill to be entitled "An Act to amend that portion of Article 879, which pertains to wild mourning doves, so as to change the open season in the South Zone from November and December of each year to October and November of each year, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Parr:

S. B. No. 244, A bill to be entitled "An Act to amend that portion of Article 879, which pertains to wild mourning doves, so as to change the open season in the South Zone from November and December of each year to October and November of each year, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Parr:

S. B. No. 245, A bill to be entitled "An Act to repeal Article 6605 of Revised Civil Statutes of Texas of 1925, and to repeal Article 6608 of Revised Civil Statutes of Texas of 1925, and to amend Article 1300 of Revised Civil Statutes of Texas of 1925 so as to eliminate the necessity of the wife's separate acknowledgment and the other requirements of Articles 6605 and 6608 herein repealed in the conveyance of homestead, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Parr:

S. B. No. 246, A bill to be entitled "An Act to amend Article 879 of the penal code of Texas, of 1925, so as to include the counties of Dimmit, Zavalla, Medina and Uvalde in the provision permitting squirrels to be killed at any time, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Parr:

S. B. No. 247, A bill to be entitled "An Act to authorize the Board of Directors of the Agricultural and Mechanical College of Texas to establish and maintain a horticultural and agricultural experiment station at some point within the limits of Atascosa, Bexar, Dimmit, Frio, La Salle, Maverick, Medina, Uvalde, Webb, or Zavala Counties in the State of Texas for the purpose of making scientific investigation and experiment in the production of fruits, citrus fruits, nuts and vegetables and methods of combatting insect pests and diseases of said product in the said section and conducting scientific experiments in poultry raising and dairying, authorizing said Board of Directors to acquire a suitable site therefor, and to accept donations of land and money for said purpose, providing that such

experiment station shall be under the general supervision of said Board of Directors and providing that unless donations of land within said territory with available water for irrigation purposes thereon suitable and sufficient for said experiment station shall not be established, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Parr:

S. B. No. 248, A bill to be entitled "An Act to amend Articles 7631, Chapter 2, Title 128 of the Revised Statutes of Texas of 1925 providing for the regulating of elections to be held in water improvement districts and defining who are qualified voters in water improvement districts and authorizing the commissioners' court to order the first election, create the proposed district into one or more election precincts, name the polling places, appoint officers of elections, providing for the preparation of ballots and the wording that shall be placed on such ballots and to amend Article 7641, same chapter and title, defining who shall be eligible to hold office in water improvement districts and declaring an emergency."

Read first time and referred to Committee on Privileges and Elections.

By Senator Parr:

S. B. No. 249, A bill to be entitled "An Act to repeal Article 6605 of Revised Civil Statutes of Texas of 1925, and to repeal Article 6608 of Revised Civil Statutes of Texas of 1925, and to amend Article 1300 of Revised Civil Statutes of Texas of 1925 so as to eliminate the necessity of the wife's separate acknowledgment and the other requirements of Article 6605 and 6608 herein repealed in the conveyance of homestead, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Parr:

S. B. No. 250, A bill to be entitled "An Act to amend Article 4142, Chapter 4, Title 69 of the Revised Statutes of Texas 1925, so as to provide that the County Judge may in his discretion require a guardian of an estate to give bond with one or more corporations authorized to

execute surety bonds in this State as Surety, in such amount as may be fixed by the Judge and providing for guardian bonds with two or more good and sufficient sureties to be approved by County Judge; and to amend Art. 4143 same chapter and title so as to provide that the County Judge may direct payment of a bond premium of a Guardian's bond out of the Ward's estate, and that such premiums shall be paid by the guardian unless otherwise directed by the County Judge; and amending Article 4148, same chapter and title so as to provide that County Judge shall have power and authority to decrease the amount of guardian's bond whenever a smaller bond would be adequate to protect the ward's estate and providing for requiring new bonds of guardians; and amending Art. 4233, Chapter 10, Title 69, of said statutes so as to provide for removal of guardian of estate without notice when whereabouts of guardian are unknown and providing for removal when fail to return within 30 days, inventory and list of property, when they fail to give new bond within time required, and when they have removed from the State; and amending Article 4234, Chapter 10, Title 69, of said statutes, so as to provide for removal of guardian after citation, for gross neglect or mismanagement or when he becomes of unsound mind, or an habitual drunkard, or sentenced to imprisonment for a term of years, or when, if he be a guardian of a person, he is cruel to, or neglects, said ward, and providing for removal when he fails to return any account as required by law, or fails to obey any proper order of the court of Judges, or when there is good cause to believe he has misapplied, embezzled, or removed, or is about to misapply, embezzle or remove from state said estate or any part thereof; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Parr:

S. B. No. 251, A bill to be entitled "An Act to authorize the Board of Directors of the Agricultural and Mechanical College of Texas to establish and maintain a horticultural and agricultural experiment station at some point within the limits of Atascosa, Bexar, Dimmit, Frio, La

Salle, Maverick, Medina, Uvalde, Webb, or Zavala Counties in the State of Texas for the purpose of making scientific investigation and experiment in the production of fruits, citrus fruits, nuts and vegetables and methods of combating insect pests and diseases of said product in the said section and conducting scientific experiments in poultry raising and dairying, authorizing said Board of Directors to acquire a suitable site therefor, and to accept donations of land and money for said purpose, providing that such experiment station shall be under the general supervision of said Board of Directors and providing that unless donations of land within said territory with available water for irrigation purposes thereon suitable and sufficient for said experiment station shall not be established, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Wirtz:

S. B. No. 252, A bill to be entitled "An Act creating an advisory judicial council for the continuous study, investigation and report upon the civil judicial system of the State, its administration, procedure and functioning; gathering of civil judicial statistics; devising of methods for the improvement of civil judicial administration and procedure; prescribing the personnel of such council; prescribing its powers and duties; providing for the payment of the actual expenses of the council and its members, including clerical assistance."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Wirtz:

S. B. No. 253, A bill to be entitled "An Act amending Article 5196 of the Revised Civil Statutes of Texas, 1925, so as to define blacklisting, to define discrimination against persons seeking employment, to require statements in writing from corporations and receivers to employees voluntarily leaving their employment, and requiring further that copies of statements shall be given to employees who have lost or are otherwise deprived of the use of the originals, prescribing what facts shall be set out in all such statements; and declaring an emergency."

Read first time and referred to Committee on Labor.

By Senator Hornsby:

S. B. No. 254, A bill to be entitled "An Act to amend Article 3884 Revised Civil Statutes of 1925 relating to compensation of deputies and assistants of certain District and County officers; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

Senators Excused.

On motion of Senator Beck Senator DeBerry was excused for today, yesterday and indefinitely on account of sickness.

Announcement of Hearings.

Senator Wirtz received unanimous consent to have printed in the Journal the following announcement of hearings:

Bills Set for Hearing Before State Affairs Committee.

S. B. No. 166, By Senator Holbrook An Act to provide an adequate method of regulating the practice of Civil Engineering, etc.

Set for hearing Tuesday, Jan. 29, 1929.

S. B. No. 177, By Senator Moore, An Act to require the publication in some newspapers of general circulation of all notices now required by law or contract to be given of any act or proceeding . . . relating to a judicial, executive or legislative matter, etc.

Set for hearing Thursday, Jan. 31, 1929.

S. B. No. 227, By Senator Wirtz, An Act to safeguard life, health and property, and the public welfare, and to protect the public against the irresponsible practice of the profession of architecture, etc.

Set for hearing Tuesday, Jan. 29, 1929.

WIRTZ.

S. C. R. No. 7.

Senator McFarlane sent up the following resolution:

Whereas, the State Penitentiary System of Texas has been and is now a proposition that merits the best thought of this legislature in attempting to solve the correct solu-

tion as to what should be done, if anything, with said Penitentiary System; and

Whereas, a majority of both of the State Penitentiary committees of the Senate and House have never had the opportunity of making a personal inspection of the Penitentiary system;

Therefore, be it resolved by the Senate of the State of Texas, the House of Representatives concurring, that the Penitentiary Committee of the Senate and House be and are authorized to make an inspection trip of the Penitentiary System and that said Committee members' necessary expenses be paid for out of the contingent fund, as is provided by law, and that they be authorized to inspect said Penitentiary System at the earliest possible time.

McFARLANE.

The resolution was read and adopted.

S. C. R. No. 8.

Senator McFarlane sent up the following resolution:

Whereas, it is believed there can be no serious controversy about the fact that the supply of wild ducks is becoming scarcer each year in the United States; and,

Whereas, the present bag limit permitted by the Department of Agriculture is 25 ducks per day, 50 per week; and,

Whereas, 27 of the 48 States have reduced the lawful bag limit within those States from the Federal limit of 25 per day by varying limits of from 20 to 10 per day in said various 27 States; and,

Whereas, a number of the other 21 States, as we are informed, are willing to reduce their bag limit and would gladly do so provided all of the States would make a reduction in their bag limits, but feel that so long as certain States along the coast maintain the 25 bag limit and have the greatest chance at killing and depleting the supply of ducks the other States should not deprive their hunters for the purpose of permitting this heavier killing in said coastal States; and

Whereas, there remains but some 9 or 10 States that in fact are holding out for the greater duck limit;

Therefore, be it resolved by the Senate of the State of Texas, the

House of Representatives concurring, that the Secretary of Agriculture of the United States be requested to change the Federal bag limit on ducks from 25 per day, 50 per week, to 15 per day, 30 per week.

McFARLANE.

The resolution was read and adopted.

S. J. R. No. 15.

Senator Holbrok sent up the following resolution:

Providing for a convention to frame a Constitution for the State of Texas.

Read first time and referred to Committee on Constitutional Amendments.

Simple Resolution No. 36.

Senator Parr sent up the following resolution:

Be it resolved that the salary of the Assistant Secretary of the Senate be raised to \$7.50 per day.

PARR.

The resolution was read and adopted.

Simple Resolution No. 37.

Senator Wirtz sent up the following resolution:

Whereas, the State Free Text Book law as amended by the Fortieth Legislature provides that the maximum price at which the Texas State Textbook Commission shall contract to pay F. O. B., the Texas depository of the publisher, for any books to be used in the public schools of this State shall not exceed the minimum price at which the publisher sells such book in wholesale quantities F. O. B., the publisher's publishing house, after all discounts have been deducted. Any contract made for the purchase of books for the use in the public schools of this State at a higher price than the maximum price fixed by the preceding sentence of this article shall be void; and

Whereas, said statute provides that it shall be the duty of the Texas State Textbook Commission to meet annually on the second Monday in October for the purpose of considering the advisability of continuing or discontinuing, at the expiration of each current contract, any or all of the State adopted textbooks in

use in the public schools of Texas, and in making such adoptions as are provided for by said statute; and

Whereas, in conformity with the requirements of the said State Free Text Book Law the said Textbook Commission did, on the second Monday in October, 1928, meet and at said meeting did adopt for use in the public free schools of this State a series of books offered to the State through said Commission by the different publishing companies located at different places in the United States; and

Whereas, complaint has been made that in practically each and every one of said adoptions so made that the publishers of said books were selling the same at a less price in other states than same had been bid to Texas; and

Whereas, said complaint was on the 19th day of November, 1928, filed with the Honorable Dan Moody, Governor of Texas, which said complaint was, by the Governor, considered and referred to the Honorable Claude Pollard, Attorney General of Texas, with the request that the Attorney General's Department use the facilities of their department to assist and determine the accuracy of the statements made with reference to the effect that said books were sold or offered for sale in any other states at a less price net to the publisher than the price at which same had been offered to and adopted by the Texas State Textbook Commission for use in the public free schools of Texas; and

Whereas, the Attorney General's Department immediately began and made such investigation as time would permit, and upon a meeting of the Texas State Textbook Commission thereafter held in November, requested additional time within which to make further investigation; and

Whereas, at the recessed meeting of the Texas State Textbook Commission, held on December 17, 1928, said contracts for want of sufficient information as to the facts were not approved by the Commission, and have not yet been approved by the Commission, and no awards have yet been made by the Commission to the publishing companies who were successful in obtaining awards at the October meeting thereof; and

Whereas, the Attorney General answered the inquiry submitted by the Honorable Dan Moody, Governor of Texas, advising the Governor and the Texas State Textbook Commission that, after careful consideration of the provisions of the law hereinabove set out, that it is the intention of this statute that the contract price of textbooks with Texas shall not exceed the price which a publisher receives at its publishing house, and that in cases where a publishing house authorizes a discount or pays a commission to a local depository for handling books in other States, this expense, or other expense of freight or distribution from the publishing house must be deducted from the contract price to the other States in order to determine the price F. O. B. the publisher's publishing house; and

Whereas, in many if not in all of the awards made by the Texas State Textbook Commission at its October, 1928, meeting the prices paid for the books for use in Texas was in excess of the net price which said publishers received in other states for the same book; and

Whereas, the purchase of free text books adopted at the October, 1928, meeting involves, or will involve the expenditure by Texas, out of the public free school fund, a sum in excess of two million dollars; and

Whereas, all of the facts in connection with the adoption of said books and the prices at which they are sold to other states, together with the policy of the publishing companies as to the manner of fixing prices should be known to the Legislature; and

Whereas, neither the Governor's office nor the Attorney General's office have adequate and sufficient force of assistants to secure said information; and

Whereas, unless an investigation is now made before said contracts are entered into, much evidence useful to the Legislature will become inaccessible and of no value; and

Whereas, the entering into said contracts without full information as to the facts will probably result in involving the State in prolonged litigation;

Therefore, Be It Resolved by the Senate of Texas, that a committee of three Senators be appointed by the

Lieutenant Governor, to immediately make a full, thorough and complete investigation as to the adoption of each and all of said books so adopted at the October, 1928, meeting of the Texas State Textbook Commission, the prices at which same were adopted, and whether or not same are sold or offered for sale in other states at a less price than the price of adoption in this state, and to report to this Senate upon the aforesaid matters at as early a date as practicable the full facts so ascertained, and to report generally upon such legislation as may be necessary with reference to changes, if any, necessary in the State Free Textbook Law.

Be It Further Resolved, that said Committee so appointed shall have and exercise all of the powers granted to committees authorized to make investigation under general and special laws of the State of Texas; and, in addition thereto, the said Committee hereby created and any member thereof and any sub-committee appointed by such Committee shall have all such powers and authority conferred by the general and special laws aforesaid, and full power and authority to hear testimony, to swear witnesses, to administer oaths, to send for books, papers, letters, telegrams and documents and to compel the production of such matters and things before said committee or sub-committee, or any member thereof, as such committee or sub-committee, or any member thereof may deem necessary to the proper carrying out of the purposes of this investigation. And in addition to the means authorized the said committee, or any member thereof, or any sub-committee, may report any refusal to obey process or any disobedience of process or any evasion of process to the Senate, and have any person guilty thereof, or charged of being guilty thereof, brought before the bar of the Senate to be dealt with as the Senate may direct.

The expenses of the said Committee, or of any sub-committee, or of any members thereof in conducting the investigation hereby directed and in procuring the attendance of witnesses and paying therefor, and the service of process and the paying therefor, and all other expenses necessarily incurred in conducting

the investigation shall be paid out of the contingent expense fund of the Senate upon the warrant of the chairman of said Committee authorized by the Committee itself.

The said committee shall be known as the Senate State Free Textbook Law Investigating Committee, and such Committee shall elect its own secretary and such other officers as it may desire, and establish and make such rules for governing its own procedure and form of process as may be permitted by law.

Such Committee shall cause the testimony of all witnesses to be taken by competent shorthand reporters, in question and answer form, and shall make a report to the Senate at this session of the Legislature, and shall accompany such report by the evidence taken by it and its recommendations.

Be It Further Resolved, that it is the sense of the Texas Senate that said contracts should not be approved and entered into until, if and when a thorough investigation discloses that same were made in accordance with and at a price authorized and permitted by the State Free Textbook Law.

The resolution was read and adopted.

Simple Resolution No. 38.

Senator Moore sent up the following resolution:

Whereas, on January 16, 1929, citizens throughout the United States joined in celebrating the eleventh anniversary of the adoption of the Eighteenth Amendment to the Federal Constitution; and

Whereas, this occasion calls to mind the heroic and sacrificial labors of the Womanhood of America in driving from our commercial life the damnable liquor traffic; and

Whereas, there is great cause for thanksgiving on the part of our citizenship for the successful efforts of the womanhood in this commendable undertaking; and

Whereas, the Eighteenth Amendment to the Federal Constitution and laws passed in conformity thereto, if properly administered, will redound to the public good;

Therefore Be it Resolved, By the Senate of the State of Texas, that we commend the womanhood of the United States for their heroic

and successful fight in curbing the liquor traffic and driving the saloon from our midst;

Be It Further Resolved, That we approve every honorable effort to properly and wisely and fearlessly enforce the provisions of the Eighteenth Amendment and all laws passed in support thereof;

Be It Further Resolved, That we abhor all attempts to break down the enforcement of the liquor laws and urged the selection of men and women who are in sympathy with these laws to administer them;

Be It Further Resolved, That we are in sympathy with the proposal to select a non-partisan commission to make a national survey of the liquor question that has for its purpose the recommendation of measures that will be more effective, if possible, than those now existing and that will fairly represent the best thought of the citizens of the United States.

Moore, Woodward, Hyer, McFarlane, Love, Greer, Miller.

The resolution was read and adopted.

Executive Session Announced.

Senator Williamson gave notice that an executive session would be held Monday morning at 11:00 o'clock for the purpose of acting on the report of the Committee on Governor's Nominations.

Senate Bill No. 71.

The Chair laid before the Senate as special order the following bill:

S. B. No. 71, A bill to be entitled "An Act to amend Article 2883, and Article 2889-A Revised Statutes of 1925, relating to certificates of teachers in the public free schools, and salaries of teachers holding such certificates; repealing all laws in conflict therewith, and declaring an emergency."

Senator Neal moved that the bill be made special order for Monday morning after the morning call.

Senate Bill No. 18.

The Chair laid before the Senate on its third reading and final passage the following bill:

S. B. No. 18, A bill to be entitled "An Act to amend Article 2902 Revised Statutes 1925, fixing the scholastic age of pupils in the public free

school by reducing the minimum school age to six years, and repealing all laws and parts of laws in conflict therewith."

The bill was finally passed.

Senate Bill No. 128.

The Chair laid before the Senate on its third reading and final passage the following bill:

S. B. No. 128, A bill to be entitled "An Act relating to the duties of the County Board of Trustees of public schools in this State, in all counties having an area of not more than one thousand-seventy-five (1075) square miles and not less than nine hundred-thirty (930) square miles and a population of not less than thirty-four thousand three hundred, (34,300) and not more than thirty-four thousand five hundred, (34,500) according to the 1920 Federal Census, authorizing them to condemn land for school purposes; to subdivide their respective counties into convenient school districts; to increase or reduce the area of Independent and Common School Districts, create additional districts, consolidate two or more adjacent districts; subdivide any districts; revise or rearrange the boundaries of any district; attach territory thereto or detach territory therefrom and to adjust the district properties and bonded indebtedness against such districts and detached or added territory upon a just and equitable basis, providing a method of apportioning school funds to the respective districts and providing for the election of the County Board of School Trustees; providing other matters and things necessary and incidental to the main purpose and subject to this Act, whether mentioned in detail in this caption or not; and repealing all laws, general or special, in conflict therewith, and declaring an emergency."

On motion of Senator Greer, the bill was laid on the table subject to call.

Senate Bill No. 8.

The Chair laid before the Senate on its second reading the following bill:

S. B. No. 8, A bill to be entitled "An Act fixing the open season for hunting or killing Black Tail Deer in that part of the State west of the Pecos River; limiting and restricting

the killing of such deer during said open season in said territory; prescribing the penalty for violating any provision of this Act; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Pollard the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 8 was put on its third reading and final passage, by the following vote:

Yeas—27.

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.
Neal.	

Absent—Excused.

DeBerry.	Patton.
Love.	

The bill was finally passed.

S. C. R. No. 9.

Senator Hornsby sent up the following resolution:

Whereas, the Honorable Murray Hulbert, the Grand Exalted Ruler of the Benevolent and Protective Order of Elks, will be in Austin on January 29, 1929, upon an official visit to the local Elks Lodge; and

Whereas, Mr. Hulbert is a former Democratic Member of Congress, and the present head of the American Athletic Association, having presided at the Olympic Games in Holland last summer; and is recognized as one of the outstanding citizens of America, as well as the head of a great Fraternal Order;

Therefore, Be It Resolved by the Senate and the House of Representatives of the State of Texas that Mr. Hulbert be invited to address the Senate and the House, in joint session assembled at eleven o'clock a. m. Tuesday, January 29, 1929.

The resolution was read and adopted.

Senate Bill No. 62.

The Chair laid before the Senate on its second reading the following bill:

S. B. No. 62, A bill to be entitled "An Act creating a more efficient road system for Hays County, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners' court; providing for the laying out, establishment and construction of roads, bridges and culverts, and for the repair and maintenance thereof; providing that the commissioners' court shall cooperate with the State Highway Department in the establishment, construction and maintenance of roads, bridges and culverts to be paid for partly by the county and partly by the State or Federal Government; authorizing the commissioners' court of Hays County to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof; and declaring an emergency."

The Committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Wirtz the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 62 was put on its third reading and final passage, by the following vote:

Yeas—27.

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.
Neal.	

Absent—Excused.

DeBerry.	Patton.
Love.	

The bill was read third time and finally passed by the following vote:

Yeas—27.

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.
Neal.	

Absent—Excused.

DeBerry.	Patton.
Love.	

Senate Bill No. 73.

The Chair laid before the Senate on its second reading the following bill:

S. B. No. 73, A bill to be entitled "An Act authorizing the Board of Regents of the University of Texas to acquire, operate and manage seven boys dormitories at the University of Texas, and to furnish and equip the same, and dining hall building in connection therewith; authorizing said regents to prescribe plans and specifications not inconsistent herewith, and to accept said buildings when completed without cost to the State of Texas; authorizing said regents to make contracts with reference to the acquisition, management, and control of said buildings, and appropriating the sum of one hundred and fifty thousand (\$150,000) dollars with which to purchase furniture, fixtures, and appointments therefor, and declaring an emergency."

The Committee report was adopted.

The bill was read second time.

Senator Witt sent up the following amendments:

Amendment No. 1.

Amend S. B. No. 73, page 2, line 14 by striking out the words, "purchase and place therein," and substitute therefor the words, "make requisition for."

The amendment was read and adopted.

Amendment No. 2.

Amend page 2, line 19, by inserting after the words, "authorized to," the words, "purchase and."

The amendment was read and adopted.

Amendment No. 3.

Amend bill by adding to section 4 the following: "Said appropriation to be available from and after September 1, 1929."

The amendment was read and adopted.

The bill as amended was passed to engrossment.

On motion of Senator Witt the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 73 was put on its third reading and final passage, by the following vote:

Yeas—27.

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.
Neal.	

Absent—Excused.

DeBerry. Patton.
Love.

The bill was read third time and finally passed by the following vote:

Yeas—27.

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.
Neal.	

Absent—Excused.

DeBerry. Patton.
Love.

Senate Bill No. 90.

The Chair laid before the Senate on its second reading the following bill:

S. B. No. 90, A bill to be entitled "An Act authorizing certain incorporated cities to acquire and maintain recreational parks and playgrounds outside of the city limits; limiting the amounts of land that may be acquired for such purposes; providing for the necessary funds to such purpose; providing regulations for the operation, maintenance and support of such parks and playgrounds; enacting all necessary provisions incidental to the general purpose of the Act in providing for the acquisition, support, maintenance and operation of said parks and playgrounds for the benefit of the general public, providing for the closing of roads running through any such grounds or parks; and declaring an emergency."

On motion of Senator Holbrook, the bill was laid on the table subject to call.

Senate Bill No. 93.

The Chair laid before the Senate on its second reading the following bill:

S. B. No. 93, A bill to be entitled "An Act to amend Article 2889A, Revised Statutes 1925, relating to certification of teachers in the public free school; repealing all laws in conflict therewith, and declaring an emergency."

On motion of Senator Neal the bill was laid on the table subject to call.

Senate Bill No. 98.

The Chair laid before the Senate on its second reading the following bill:

S. B. No. 98, A bill to be entitled "An Act to require all persons who teach in the public schools to be American citizens."

Senator Stevenson moved to lay the bill on the table subject to call. The motion prevailed.

Senate Bill No. 105.

The Chair laid before the Senate on its second reading the following bill:

S. B. No. 105, A bill to be entitled "An Act to amend Article 4552 of Chapter 10, Title 71, of the Revised Civil Statutes of 1925, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Woodul the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 105 was put on its third reading and final passage, by the following vote:

Yeas—27.

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.
Neal.	

Absent—Excused.

DeBerry.	Patton.
Love.	

The bill was read third time and finally passed by the following vote:

Yeas—28.

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Martin.	Williamson.
McFarlane.	Wirtz.
Miller.	Witt.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

DeBerry.	Love.
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Adjournment.

On motion of Senator Moore, the Senate, at 11:25 o'clock a. m., adjourned until 10:00 o'clock Monday morning.

APPENDIX.

Committee on Enrolled Bills.

Committee Room,

Austin, Texas, Jan. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 6 carefully examined and compared, and find the same correctly enrolled, and have this day, at 10:20 o'clock a. m., presented the same to the Governor for his approval.

WITT, Chairman.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, Jan. 18, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 9 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 18, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 18 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 18, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 46 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 18, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 47 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, Jan. 18, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 67 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 72 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 128 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 135 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 136 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 142 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 138 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 186 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 225 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 226 carefully examined and compared, and find the same correctly en-grossed.

WESTBROOK, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, Jan. 18, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred:

S. B. No. 63, A bill to be entitled "An Act making provision for the purchase and installment by the Board of Prison Commissioners of machinery and equipment for the manufacture of motor vehicle number plates, seals and road signs and markers; making an appropriation to carry out the purposes of this Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back with the recommendation that it do pass, and be printed.

POLLARD, Chairman.

Committee Room,

Austin, Texas, Jan. 17, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 127, A bill to be entitled "An Act regulating the practice of medicine; amending Article 4495, Revised Civil Statutes of 1925, so as to provide for the Texas State Board of Medical Examiners and for the appointment of members of said Board, and prescribing their terms of office; amending Article 4498, Revised Civil Statutes of 1925, and Article 739 of the Penal Code of Texas as codified in 1925, so as to provide that it shall be unlawful for any one to practice medicine, in any of its branches upon human beings within this State who has not registered in the district clerk's office of every county in which he may reside, etc., and declaring an emergency."

Have had same under consideration, and I am instructed to report it back with the following Committee Amendments with the recommendation that it do pass.

BECK, Chairman.

Committee Room,

Austin, Texas, Jan. 17, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 167, A bill to be entitled "An Act to amend Article 7117, Chapter 5, Title 122, of the Revised Civil Statutes of the State of Texas for 1925, by adding thereto two sections or paragraphs to be known as Articles 7117a and 7117b, respectively, providing that the tax imposed by said Chapter shall not apply to the personal property of non-residents of this State (except as to tangible personal property having an actual situs in this State) (a) In any case in which the decedent or transferor at the date of his death was a resident of any State or territory of the United States or of any foreign country or subdivision thereof which did not at the date of the death of such decedent impose a transfer tax or death tax of any character in respect of personal property of residents of this State, (except tangible personal property having an actual situs in

such state, territory or foreign country), or, (b), If the laws of the state, territory or country of residence of the transferor at the time of his death contained a reciprocal exemption provision under which non-residents thereof were exempted from transfer taxes of every character in respect of personal property (except tangible personal property having an actual situs therein), provided the state, territory or country of residence of such non-resident thereof allowed a similar exemption to the residents of the state, territory or country of residence of such decedent or transferor; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Have had same under consideration, and I am instructed to report it back with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Jan. 17, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 144, A bill to be entitled "An Act to amend the laws relating to the County Court at Law of Harris County; to amend Sections 3 and 5, Chapter 8, of the General Laws of the Thirty-third Legislature, passed at its regular session; to amend sections 6 and 12, Chapter 4, of the General Laws of the Thirty-second Legislature, passed at its regular session; to repeal Sections 4 and 6, Chapter 8, of said Acts of the Thirty-third Legislature; and to provide for the exchange of benches, the transfer of cases, and the appointment of a court reporter for the County Court at Law of Harris County, Texas; and declaring an emergency."

Have had same under consideration, and I am instructed to report it back with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Jan. 17, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 201, A bill to be entitled

"An Act amending Article 7249 of the Revised Civil Statutes of 1925 relating to the bond of the county tax collectors; making better provisions for such bonds; requiring the county to pay a reasonable amount as the premium on such bonds if same are executed by a Surety Company or companies; limiting the amount the County shall pay of such premiums to the amount actually paid by the collector; further regulating and limiting such bonds and premiums; and declaring an emergency."

Have had same under consideration, and I am instructed to report it back with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Jan. 17, 1929.

Hon. Barry Miller, President of the

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 143, A bill to be entitled "An Act to amend the laws relating to the County Court at Law No. 2, of Harris County, Texas; to amend Sections 2, 4, and 12 of Chapter 8 of the General Laws of the Thirty-fourth Legislature, passed at its First Called Session; to repeal Sections 3, 9, 10, 13, and 16, Chapter 8, of the General Laws of the Thirty-fourth Legislature, passed at its First Called Session; to provide for the exchange of benches; the transfer of cases, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Jan. 17, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 200, A bill to be entitled "An Act amending Article 6692 of the Revised Civil Statutes of 1925 so as to fix the compensation of the county tax collector for his services in connection with the registration of motor vehicles and issuing licenses therefor; and declaring an emergency."

Have had same under consideration, and I am instructed to report it

back with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Jan. 17, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 146, A bill to be entitled "An Act to amend Section 3 of Chapter 40 of the Fortieth Legislature, and to provide that the commissioners for the aid and assistance of the Court of Criminal Appeals of Texas shall hold office for a term of six years from their appointment, and providing for the filling of any vacancy and declaring an emergency."

Have had same under consideration, and I am instructed to report it back with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Jan. 17, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 182, A bill to be entitled "An Act repealing Article 6815, Revised Civil Statutes, 1925, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Jan. 17, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 213, A bill to be entitled "An Act authorizing the Governor to appoint a commission of three citizens of the State of Texas, to acquire, by purchase, condemnation or otherwise, all remaining property now privately owned in the block bounded by Alamo Plaza, Nacogdoches and East Houston Streets, in the City of San Antonio, surrounding the historic Alamo, for the State of Texas; prescribing the duties of such commission, and describing the land to be purchased; authorizing condemnation proceedings; making appropriation for the acquisition thereof

and the expenses in connection therewith; directing how and when the same shall be paid for; and declaring an emergency."

Have had same under consideration, and I am instructed to report it back with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Jan. 17, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 189, A bill to be entitled "An Act providing for the establishing, organization, management, direction and maintenance of a State Museum, as a part of the public school system, to be known as the Texas State Museum; constituting a locating board and a board of control for said museum; authorizing the creation of a museum staff and the acceptance of donations of money or collections of museum materials; the acquisition of archaeological, historical, and scientific sites within the State; constituting the State parks a department of the Museum; and declaring an emergency."

Have had same under consideration, and I am instructed to report it back with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Jan. 17, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 180, A bill to be entitled "An Act making it lawful to kill squirrels at any time in the counties of Travis, Williamson, San Saba, Llano, Lampasas and Burnet; and declaring an emergency."

Have had same under consideration, and I am instructed to report it back with the recommendation that it do pass with the following committee amendment.

Committee Amendment.

Amend the Bill by replacing period with comma after the word "Burnet" and add the following "Goliad, Blanco and Hays."

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Jan. 17, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 202, A bill to be entitled "An Act amending Article 6205 as printed in the Revised Civil Statutes of 1925; the same being Article 6267 of the Revised Civil Statutes of 1911 as amended by Chapter 69 of the General Laws of the Regular Session of the Thirty-ninth Legislature, and amending Article 6214 of the Revised Civil Statutes of 1925, so as to better provide for Confederate and other pensions as provided for in the recent constitutional amendment; and declaring an emergency."

Have had same under consideration, and I am instructed to report it back with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Jan. 17, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred S. B. No. 239, A bill to be entitled "An Act making certain emergency appropriations out of the General Revenue of the State of Texas, for the several institutions and Departments of State Government as named herein for the balance of the fiscal year ending August 31, 1929, and declaring an emergency."

Have had same under consideration, and I am instructed to report it back with the recommendation that it do pass, and be printed.

POLLARD, Chairman.

Committee Room,

Austin, Texas, Jan. 18, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, have duly considered S. J. R. No. 7, and I am instructed to report it back with the recommendation that it do pass.

HORNSBY, Chairman.

Committee Room,

Austin, Texas, Jan. 18, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, have duly

considered S. J. R. No. 12, and I am instructed to report it back with the recommendation that it do pass.
HORNSBY, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

S. B. No. 230, A bill to be entitled "An Act to amend Chapter 69 of the Local and Special Laws enacted by the Thirty-sixth Legislature at its Second Called Session in 1919, same being a special road law for Burnet County."

Have had same under consideration, and I am instructed to report it back with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

S. B. No. 206, A bill to be entitled "An Act creating a more efficient road system for Lamb County, Texas."

Have had same under consideration, and I am instructed to report it back with the recommendation that it do not pass, but in lieu thereof Committee Substitute do pass, and be not printed.

WITT, Chairman.

By Parrish: S. C. S. B. No. 206.

A BILL

To Be Entitled

"An Act creating a more efficient road system for Lamb County, Texas; providing that the County Commissioners shall be road Commissioners of their respective Precincts; providing that such Commissioners shall have charge of the road teams, tools, machinery and appliances of said County under the direction of the commissioners' court; providing for the laying out, establishment and construction of roads, bridges and culverts, and for the repair and maintenance thereof; authorizing the commissioners' court of Lamb County to issue bonds of

said County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof, and providing that if the validity of the indebtedness to be funded by such bonds is not questioned in any suit or proceeding within sixty days from the adoption of the order of the commissioners' court authorizing the issuance of such bonds, then such indebtedness shall be conclusively presumed to be valid; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That the county commissioners of Lamb County shall be ex-officio road commissioners of their respective Commissioners' Precincts of said County, and that they shall have charge and direction of the constructing, repairing and maintaining the public roads of their respective Precincts, under the direction of the commissioners' court of said Lamb County.

Section 2. That such commissioners shall have charge of the teams, tools, machinery and appliances belonging to the County and placed in their hands by the commissioners' court, and it shall be their duty, under such rules and regulations as the commissioners' court may prescribe, to superintend the laying out of new roads and the making of changes of the established roads, and the building and repairing of bridges of their respective Precincts.

Section 3. That the commissioners' court of Lamb County, Texas, is authorized and empowered to fund any and all indebtedness lawfully incurred for road and bridge purposes prior to January 1, 1929, whether the same be current, funding or simple contract debts, and whether issued in the form of warrants or otherwise into Bonds of Lamb County redeemable and payable in not more than forty (40) years from date, and the same may mature serially or otherwise as may be determined by the commissioners' court and may bear interest at the rate of not exceeding 5 1-2 per cent per annum, interest payable annually or semi-annually as may be determined by said court. All such funding or refunding Bonds shall be in such denomina-

tion as may seem expedient and the court shall provide for the levy of an annual tax upon all property within the County to provide for interest and sinking fund; provided that the aggregate amount of said Bonds herein authorized shall not exceed the limitations provided by the Constitution of Texas; and provided further that it shall not be necessary to submit the issuance of said funding or refunding Bonds to a vote of the property tax payers of said county. If the validity of the indebtedness to be funded by any bonds authorized to be issued under this section is not questioned in a suit or proceeding begun within sixty days from the adoption of the order of said commissioners' court authorizing the issuance of said bonds, the validity of such indebtedness shall not thereafter be questioned and such indebtedness shall be conclusively presumed to be valid in any suit, action or proceeding.

Section 4. The fact that Lamb County has a large amount of valid road and bridge warrants outstanding which can probably be refunded by the issuance of Bonds at a lower rate of interest with a more convenient schedule of maturity, constitutes an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

TENTH DAY.

Senate Chamber,
Austin, Texas,
Monday, January 21, 1929.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Hyer.
Berkeley.	Love.
Cunningham.	McFarlane.
DeBerry.	Miller.
Gainer.	Moore.
Greer.	Neal.
Hardin.	Parrish.
Holbrook.	Patton.
Hornsby.	Pollard.

Russek.	Westbrook.
Small.	Williamson.
Stevenson.	Wirtz.
Thomason.	Woodward.

Absent—Excused.

Martin.	Witt.
Parr.	Woodul.

Prayer by the Rev. Lawrence H. Wharton.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Woodul:

S. B. No. 255, A bill to be entitled "An Act to authorize the issuance of serial obligations of the State of Texas to provide further funds for the construction of the highway system of the State of Texas and to reimburse outlays made by counties and defined road districts therefor, and providing for the pledging of certain revenues for the further security thereof, and declaring when and in what event this Act shall take effect"

Read first time and referred to Committee on State Highways and Motor Traffic.

By Senator Witt:

S. B. No. 256, A bill to be entitled "An Act fixing compensation for county tax assessors in counties containing a city with a population of not less than 35,000 and not more than 125,000 according to the last United States census, where the county assessor of taxes compiles and makes a transfer book or card index compiled from the real estate transfers recorded in the county clerk's office showing the names transferred to, last owner assessed to, volume and page, description of property, assessed valuation and the consideration in the transfer; keeps a building permit record or card index of all building permits issued showing name of owner, date of permit, description of property on which building is located, description of